

## REMARKS

The Office Action dated April 25, 2005 has been received and reviewed by the applicant. Claims 1-8 are in the application. Claims 1-8 stand rejected. Claim 1 is amended. Claims 9-12 are new. Reconsideration is respectfully requested.

Claims 1-8 stand rejected under 35 U.S.C. 102(e) as being anticipated by Roller (U.S. Patent No. 6,366,747). More specifically, the rejection states, on the portion most germane to this response, that element (b) of claim is disclosed in column 5, lines 39-54 of the '747 patent. In response, it is pointed out that the '747 patent only discloses a "customizable control panel [that] allows functionable upgradeability." (Abstract and throughout the specification) In other words, a control panel (strictly a hardware-driven component) is detachable so that a revised control panel can be added. This control panel is pre-programmed to know the existing electronics on the copier so that it can function on the copier. The control panel must know the existing processor and hardware so that it can properly function.

In contrast, the claimed invention includes a "field-installed electronic card" in which "a ***second processor*** electrically connected to the scanner [sends] directions to the scanner processor which second processor includes ***field-installed control code for directing the field-installed electronic card.***" (emphasis added) The claimed invention is software driven ("field-installed code") by a ***second processor*** so that third parties can develop functionality for the system. In other words, third party can independently develop functionality without knowing the operational characteristics of the shipped-with, original processor since the *second processor is known and programmed to be able to work the developed software*. Clearly, it does not have to know the existing system as in the '747 patent. The claimed invention expands well beyond any disclosure or suggestion in the '747 patent. More specifically, the claimed invention includes the clear advantage of "enabling delivery of high-end imaging functions by ***parties other than the scanners original developer,*** [and] it also permits ***third party developers*** to extend the base scanner functionality to produce products unforeseen by the base scanners developer for enhancing marketability of base scanner." (See page 2, line 20-24 of present invention) In summary, the '747 patent does not disclose a "second processor" having "field-installed control code" driving the "field-installed electronic card"

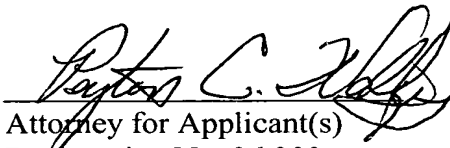
because the control panel of the '747 patent uses the existing processor. It is noted that a rejection under 102(e) is not proper if each and every limitation is not shown in a single reference. Given the fact that the '747 patent does not disclose element (b) and all of its limitations, the rejection under 102(e) is respectfully submitted to be improper and must be withdrawn.

Therefore, it is respectfully submitted that the rejection be withdrawn in light of the above distinctions and clarifications, and a timely Notice of Allowance is respectfully and kindly requested.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

Respectfully submitted,

  
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

**Amendments to the Drawings:**

Formal drawings are submitted herewith under Separate Letter to the Draftsperson. For the convenience of the Examiner, a copy of the formal drawing is also attached with this amendment.